SUBDIVISION REGULATIONS
COSHOCTON COUNTY, OHIO



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SUBDIVISION REGULATIONS
COSHOCTON COUNTY, OHIO

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ARTICLE I
GENERAL PROVISIONS

Section 1.01 Title

These regulations shall be known and may be cited as the

SUBDIVISION REGULATIONS
for
COSHOCTON COUNTY, OHIO

Section 1.02 Authority

The authority for the preparation, adoption and implementation of these regulations is derived from Section 711.001 et. seq. of the Ohio Revised Code. This statute enables the Coshocton County Regional Planning Commission (CCRPC) to adopt uniform rules and regulations governing plats and subdivisions of land, and to establish standards for the construction of streets and improvements to lands being platted within its jurisdiction.

Section 1.03 Purposes

The purpose of these regulations shall be to promote and protect the public health, safety and general welfare by providing uniform standards and procedures for subdivision of lands within the unincorporated area of Coshocton County. These standards and procedures are established to:

A. Coordinate land development in accordance with plans for the County, as may be adopted by the CCRPC and the Board of County Commissioners,
B. Provide for the orderly expansion of community services and facilities at minimal long term cost and maximum effectiveness,
C. Provide for safe and convenient traffic circulation,
D. Secure and provide for the proper arrangement of streets or other highways in relation to existing or planned streets or highways,
E. Provide for open spaces for adequate and convenient traffic circulation, utilities, access to fire-fighting apparatus, recreation, light and air,
F. Ensure accurate surveying of land, and
G. Establish standards for logical, sound, and economical development.

Section 1.04 Scope and Jurisdiction

It shall be unlawful for any person, organization or entity to subdivide any land within the unincorporated area of Coshocton County, unless said subdivision complies with these regulations. No plat shall be recorded and no land or lot shall be

sold until said plat has been approved as herein required. These regulations shall apply to all subdivisions of land; however, they shall not apply to any subdivisions of land that legally occurred prior to enactment of these regulations. All land contracts and/or long term leases affecting a present or future subdivision of land, as defined in Article II, shall be subject to these regulations.

Section 1.05 Relation to Other Restrictions

These regulations shall be minimum requirements. Whenever these requirements are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, resolutions or laws of the State of Ohio or other local authority within the areas of jurisdiction specified in Section 1.04 above, as may be subsequently amended, or other lawfully adopted rules or regulations, the provisions of the most restrictive, or that imposing the higher standard, shall govern.

Section 1.06 Severability

Each Article, Section, or other divisible part of these regulations is hereby declared severable, and if such Article, Section or part is declared invalid by a court of competent jurisdiction in a valid judgment or decree, such invalidity shall not affect any of the remaining portions thereof.

Section 1.07 Burden of Proof

The burden is upon the Owner/Developer to demonstrate compliance with these Regulations. Incomplete or deficient proposals shall be disapproved and the applicant notified of issues and reasons for disapproval.

Section 1.08 Exempt Parcels

The following types of division, sale, exchange or improvement of land are exempt from certain provisions of these regulations.

All exempt parcels as described below, shall be subject to review by the CCRPC, or its authorized agent, to ensure that the required conditions have been met. Reasonable fees may be charged for such reviews.

A. The division or partition of land in which the lots created, including the remainder of the original tract, are greater than twenty (20) acres in size, and do not involve the creation or modification of any streets, roadways, or easements of access.
B. The sale or exchange of parcel(s) between adjoining landowners which does not create additional nonagricultural building sites.
C. The improvement of a lot by combining existing adjacent lots, provided such combination does not create leftover or remaining lots or parcels which do not meet the requirements of these regulations.

D. Parcels defined as *large lot divisions* by this Resolution which shall be used only for agricultural or personal recreational purposes. For the purposes of these regulations, parcels intended for agricultural or personal recreational use shall not contain permanent dwellings, or private water or septic systems for nonagricultural use. The conveyance instrument of such parcels shall be clearly marked *"NO APPROVAL OR PLAT REQUIRED UNDER ORC 711.133: FORAGRICULTURAL ORPERSONALRECREATIONAL USE ONLY"*. Nothing in this Section shall exclude parcels so exempted from complying with these regulations for any future divisions or partitions.

ARTICLE II
DEFINITIONS

Section 2.01 Interpretation

For the purposes of these subdivision regulations, certain terms and words are to be defined as found in this Article. Words and terms not specifically defined carry their customarily understood meanings. Words used in the present tense include the future tense; the plural includes the singular and the singular includes the plural. The word **"shall"** is mandatory, the word **"may"** is permissive, and the word **"should"** is preferred. The word **"person"** includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

Section 2.02 Definitions

"Agricultural Purposes" means a parcel or parcels that are devoted exclusively to commercial animal or poultry husbandry, equine activity, horticulture, aquaculture, apiculture, the production for commercial use of field crops, tobacco, fruits, vegetables, forestry, nursery stock, ornamental trees, sod, flowers or similar agricultural uses.

"Average Daily Traffic" or **"ADT"** means the average number of vehicles that pass over a given point in the street or highway during a single twenty-four (24) hour period.

"Alley" means a permanent public right-of-way providing secondary access to the rear or side of abutting property. Alleys shall not be used for primary access to any lot or considered for calculation of lot frontage.

"Block" means the property abutting one side of a street, and lying between two (2) consecutive intersecting streets.

"Bond" means cash deposit, surety, bond, collateral, or other instrument of credit satisfactory to Coshocton County, Ohio for performance of the obligations of this Resolution.

"Building" means a structure permanently affixed to the land with one (1) or more floors and a roof supported by columns or walls, used or intended to be used for shelter or enclosure of persons, animals and/or property.

"Business day" means a day of the week excluding Saturday, Sunday, or a legal holiday as provided in Section 1.14 of the Ohio Revised Code.

"Calendar day" means any day of the week including Saturday, Sunday, or a legal holiday

"County" means Coshocton County, Ohio.

"CCRPC" or **"Commission"** means the Coshocton County Regional Planning Commission.

"County Engineer" or **"Engineer"** means the County Engineer of Coshocton County, Ohio, or his/her designated agent.

"Cul-de-sac" (see "Street")

"Dedication of land" means the granting of property in the course of the subdivision process to a public entity for public use.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

"Director" means the Executive Director of the Coshocton County Regional Planning Commission, or his/her designated agent.

"Ditch" or **"swale"** means an open drainage course.

"Driveway" means a private access from a street or road to a detached single family dwelling on abutting ground or to one (1) or more multi-family, commercial or industrial buildings. Driveways shall be subject to the standards of the **Smart Growth Transportation Policy: A Guide to Access Management.**

"Easement" means a right or privilege of specific use of land, as distinct from fee simple ownership.

"Flag lot" means a lot for which the access to the building site or primary portion of the lot is provided by a strip of land having a width at the front property line of less than the greatest width of the lot. Flag lots are prohibited unless the size of the lot exceeds twenty (20) acres and at no point shall the width of the lot be less than sixty feet (60'). For the purposes of these regulations, a triangular or "pie-shaped" lot such as is typically found at the terminus of a cul-de-sac, shall not be considered a flag lot.

"Frontage" or **"lot frontage"** means the distance of that portion of a lot or parcel that directly abuts the street or roadway, and has direct access thereto.

"Improvements" mean any addition to the natural state of land which increases its value or utility, including buildings, street pavements, sidewalks, crosswalks, water mains, sanitary sewers, storm sewers, landscaping, street lighting, street trees, public utilities, paved parking areas and other appropriate items.

A. **"Site improvements"** mean the improvements made to the land outside the exterior limits of a structure or structures.

B. **"Public improvements"** mean all improvements which have been dedicated to public use by plat, easement or deed of transfer.

"Land subject to flooding" means those lands adjacent to a watercourse subject to a one percent (1%) or greater chance of flooding in any given year. For the purposes of these regulations, such lands shall be as identified by the Federal Emergency Management Agency (FEMA) on the official Flood Boundary and Floodway Maps and/or studies for Coshocton County, as may be subsequently amended.

"Lot" means a division of land separated from other divisions for purposes of sale, lease, or separate use, described on recorded subdivision plat, recorded map or by metes and bound, and includes the terms **"plat"** and **"parcel".**

A. **"Corner lot"** means any lot at the junction of and abutting on two (2) or more intersecting streets, where the angle of intersection is not more than 135 degrees.

B. **"Double frontage lot"** means a lot, other than a corner lot, which has frontage on more than one street or roadway.

C. **"Front lot line"** means that lot line that directly abuts the roadway right-of-way. In the case of a corner lot, the front lot line shall be that lot line so designated for purposes of computing front yard depth.

D. "Rear lot line" means that lot line which is opposite and furthest removed from the front lot line. In such a lot where the side lot lines meet to the rear of the lot (i.e., a triangular lot) the rear lot line shall be considered to be the point of intersection of the side lot lines. In the case of a corner lot, the rear lot line is opposite and furthest removed from the lot line considered to be the front lot line.

E. **"Side lot line"** means the lot line running from the front lot line to the rear lot line. This line is also the line dividing two (2) interior lots.

F. **"Lot of record"** means a lot which is part of a subdivision recorded in the Office of the Coshocton County Recorder, or a lot described by metes and bounds, the description of which has been recorded in a deed in the Office of the Coshocton County Recorder as of the effective date of these regulations.

G. **"Lot width"** is the width of a lot at the front lot line measured at right angles to its depth.

"Monument" means a permanent -marker conforming to the standards of Section 4733-37-03 of the Ohio Revised Code (ORC) and used to establish the lines of the plat of a subdivision, including all lot corners, boundaries, corners and points of change in street alignment.

"Official Thoroughfare Plan" or "Thoroughfare Plan" means a plan, now or hereafter adopted by Coshocton County, which sets forth the location, alignment and/or classification of existing and proposed streets.

"Original tract" as set forth in ORC Section 711.13 l(B) and for the purposes of these regulations, means a parcel or tract of land as set forth on the tax duplicate of Coshocton County, Ohio, to which a separate parcel number has been assigned, except as follows:

A. If such assigned separate parcel number includes or contains more than one tract or parcel of land, each having a unique and separate description of record and not being contiguous with each other, each such non-contiguous tract or parcel of land included or contained within such assigned separate parcel number shall constitute an "original tract".

B. If separate parcel numbers have been assigned to two (2) contiguous tracts, each with a separate legal description, under one (1) ownership on the effective date of this amendment and none of the contiguous tracts had been given specific approval by the CCRPC pursuant to the adopted subdivision regulations after April 12, 2007, then for the purposes of these regulations, all such contiguous tracts shall be considered part of the "original tract". In cases where the above approval had been granted by the CCRPC as above, the Owner/ Developer shall provide specific evidence of such case at time of the application.

"Owner/Developer" shall mean the owner of the property being proposed for development, or the person having legal authority to develop the property.

"Personal recreational purposes" means a parcel or parcels that are devoted exclusively to personal recreational use of a private type and nature that is conducted by the owner(s) of such parcel(s) or the individual(s) entitled to exclusive use and possession of such parcel(s), without fee or consideration of any kind, excluding any commercial or membership recreational type of use whether or not for fee or profit.

"Plan" means a drawing showing the proportion and relation of parts of improvements to each other and their surroundings.

A. **"Construction plan"** means a plan which gives information required to construct improvements including plan views, sections, profiles, details, quantities, reference specifications and standard drawings.
B. **"Grading plan"** means a plan which shows the proposed grades for the development in a manner that reflects the scope of earthwork required and the finished site grades.
C. **"Preliminary plan"** means a tentative subdivision plan showing approximate street and lot layout on a topographic map as a basis for consideration prior to preparation of a plat. When used in the general sense, the term **"preliminary plan"** includes all plans and

supplementary material submitted to the CCRPC, as required in Section 5.04 of these regulations.

"Plat" means a plan of a proposed subdivision of land made by a surveyor registered in the State of Ohio showing public dedications, property lines, lot lines and such other information as is required herein.

"Planned Unit Development" or **"PUD"** shall mean a single property in which a variety of uses and/or housing types are accommodated in a planned environment, under more flexible standards, such as lot size and setbacks, than would normally apply under standard subdivision regulations.

"Right of way" means a strip of land lying between property lines, wherein is located a street, thoroughfare, alley or easement dedicated or otherwise acquired for use by the public.

"Street", "Road" or **"Roadway"** means the full width of the right-of-way between two (2) property lines, both paved and unpaved, intended to provide principal means of access to an abutting property. Streets shall be classified as follows:

A. **"Arterial Street"** means a street serving as primary routes through and within the County. Arterial streets carry the largest volume of traffic usually on a continuous route. Service to the adjacent land is subordinate to the provision of speedy and efficient travel service.

B. **"Collector Street (Major)"** means a thoroughfare which carries vehicular traffic from local streets to arterial streets, and is designed to accommodate 1,500 - 3,000 vehicles per day ADT.

C. **"Collector Street (Minor)"** means a thoroughfare which primarily carries vehicular traffic from local streets to major collector and arterial streets, and is designed to accommodate 500-1,500 vehicles per day ADT.

D. **"Cul-de-sac Street"** means a short local street having but one end open for motor traffic and the other end terminated by a vehicular turn-around.

E. **"Cul-de-sac"** means the vehicular tum-around at the terminus of a cul-de-sac street.

F. **"Industrial Street"** means a street where more than fifty percent (50%) of the abutting property is occupied by industrial or commercial uses, or on which more than twenty-five percent (25%) of the traffic is comprised of trucks.

G. **"Local Street"** means a street on which the majority of the traffic originates or terminates in the abutting properties. These streets are designed to accommodate up to 500 vehicles per day ADT at low speeds.

H. **"Marginal Access Street"** means a minor street parallel to a thoroughfare to afford abutting property owners access to the thoroughfare at limited points.

I. **"Private Street"** means a strip of privately-owned land providing access to abutting properties, which at a minimum complies with the standards of **APPENDIX C** of these regulations.

J. **"Public Street"** means a strip of land providing public access to abutting property, as dedicated to a political subdivision, upon a plat which has been duly approved, filed and recorded in the Coshocton County Recorder's Office.

"Subdivision" means either of the following:

A. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax list and duplicate of real and public utility property, into two (2) or more parcels, sites or lots, any one of which is less than five (5) acres for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the following are exempt:

(1) A division or partition of land into parcels of more than five (5) acres not involving any new streets or easements of access,

(2) The sale or exchange of parcels between adjoining lot owners, where that sale or exchange does not create additional building sites and where the lots resulting are not reduced below minimum sizes required by law, or

(3) All contiguous splits that have been approved since January 1, 2013 shall no longer be subject to review or approval by the Regional Planning Commission.

B. The improvement of one (I) or more parcels of land for residential, commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any public or private street or streets, except private streets serving industrial structures; , or involving the division or allocation of land as open spaces for common use by owners, occupants or leaseholds or as easements for the extension and maintenance of public or private sewer, water, storm drainage or other similar facilities.

"Subdivider agreement" means a legal contract between the Owner/Developer and Coshocton County specifying terms, conditions and respective obligations pursuant to Article VIII of this Resolution.

ARTICLE III
ADMINISTRATION AND ENFORCEMENT

Section 3.01 Enforcement Authority

Pursuant to Chapters 711 of the Ohio Revised Code, the CCRPC is hereby designated as the platting authority of and for the unincorporated area of Coshocton County. It shall be the duty of the Planning Commission, together with other appropriate County agencies and/or designated staff, to enforce these regulations.

Section 3.02 Violations and Penalties

The County Auditor and/or County Recorder shall not transfer property or record deeds, leases or contracts that seek to convey property, contrary to the provisions of these regulations. In cases of doubt, the County Auditor or County Recorder may require the person(s) presenting the deed, lease or other document to give evidence that such action is in compliance with these regulations, or is exempt pursuant to Section 1.07 of these regulations.

The Director of the CCRPC shall serve a written notice or order, by regular mail or in person, upon the person responsible whenever any work being done or transaction being made is in violation of these regulations. Such notice shall direct the discontinuance of illegal action and the remedy of the condition that is in violation. The Director is also hereby authorized to notify other offices of the County, and shall request same to withhold their approval of action on such property where such violations exist, until these regulations are complied with. The offender shall, within the period of time stated in such notice, permanently cease all violations.

In case such notice is not complied with or violation has not ceased within fourteen (14) days from the date of the notice, the designated officer shall request the County Prosecutor to institute appropriate action or proceedings at law or equity to restrain, correct, remove or prosecute such violation, in accordance with the provisions of Section 711.102 of the Ohio Revised Code, as may be amended.

Section 3.03 Appeal

Any person who believes he/she has been aggrieved by these regulations or the action(s) of the CCRPC, has all the rights of appeal as set forth in Chapter 711 and/or other applicable sections of the Ohio Revised Code.

Section 3.04 Fees

The Board of County Commissioners shall establish a schedule of fees, charges, and expenses and a collection procedure for preliminary plans and final plats and other matters pertaining to these regulation. The schedule of fees shall be posted at the CCRPC, the Coshocton County Board of Commissioners and/or the Coshocton County Engineer. Such fees may be altered or amended by the County Commissioners by Resolution. In addition to the payment of fees so established, the Owner/Developer shall also be responsible for costs associated with inspections, testing and other similar activities required by these regulations. Until all applicable fees, charges, and expenses have been paid in full no final action shall be taken on any preliminary or final plan or plat.

ARTICLE IV
MINOR SUBDIVISIONS AND LARGE LOT DIVISIONS

Section 4.01 Minor Subdivisions ("Lot Splits")

Pursuant to Section 711.131 of the Ohio Revised Code, if the proposed subdivision of land meets the following criteria, then it may be classified as a *minor subdivision* by the CCPRPC:

A. The proposed subdivision has frontage along an existing or previously dedicated public street or roadway, and shall not involve opening, widening, extension or improvement of any existing roadway, and

B. Such action creates no more than five (5) lots, including the remainder, from the original tract (as defined in Article II of this Resolution) as existed prior to April 12, 2007.

If the subdivision is considered as a minor subdivision and meets the standards of Section 4.02 below, it may be approved without a plat, and only such drawings and information as described in Section 4.03 below are required.

Section 4.02 Standards for Minor Subdivisions

In addition to the criteria cited in Section 4.01 above, a minor subdivision shall be approved when such subdivision meets the following standards:

A. The proposed subdivision, including the remainder of the original tract, is consistent with these subdivision regulations and any applicable township zoning resolution.

B. The proposed subdivision has been reviewed and approved by the Coshocton County General Health District regarding suitability of the proposed parcel(s) for on-site well and sewage disposal system(s) and/or the Ohio Environmental Protection Agency (OEPA) or applicable municipal authority for alternate public utility availability.

C. The proposed subdivision has been reviewed by the Coshocton County Engineer and is consistent with Coshocton County Access Management Regulations. All minor subdivisions requiring new points of access onto the federal or State highway system must be approved by the Ohio Department of Transportation (ODOT).

D. The proposed lot(s) have been approved in accordance with applicable floodplain, storm water management and erosion and sedimentation control regulations as in effect in Coshocton County at time of submittal.

E. Evidence is presented documenting the dedication of easements as required for utility and/or roadway purposes.

Section 4.03 Required Materials

The following items shall be required for approval of a minor subdivision:

A. Three (3) copies of a plan of the proposed minor subdivision, showing the location, approximate lot dimensions and area, surface drainage patterns, existing subsurface tile, and other material as may be needed to determine compliance with these regulations. The CCRPC shall have the authority to require additional information on specific lots.

B. Evidence of compliance with the provisions of Sections 4.01 and 4.02 above.

C. Such other material as may be required by the applicable reviewing agencies during the review process, pursuant to Section 4.04 C. below.

D. All applicable fees, pursuant to Section 3.04.

Section 4.04 Procedures for Approval of Minor Subdivisions

A. Application for Approval of Minor Subdivision

The Owner/Developer shall complete an **Application for Minor Subdivision Approval** and submit other material as specified in Section 4.03. Notwithstanding the above, the application shall not be considered complete until comments by the reviewing agencies have been received, pursuant to Section 4.04 D. below.

B. Transmittal of Application Materials to Reviewing Agencies

The CCRPC shall transmit copies of the application materials to the relevant reviewing agencies. After review, the agencies shall forward comments to the CCRPC.

C. Survey Required

After review and approval of the proposed subdivision by the reviewing agencies, and prior to final approval of the proposed minor subdivision by the CCRPC, the Owner/Developer shall provide a written legal description of the proposed lot(s), along with a drawing based on a survey of the property made by a Registered Surveyor in the State of Ohio, in accordance with the **Minimum Standards for Boundary Surveys in the State of Ohio, all** as approved by the Coshocton County Engineer. For the purposes of these regulations, the date on which the final survey is submitted to the CCRPC shall be considered the date of submittal of the proposed minor subdivision.

D. Approval of Minor Subdivision

After determination that the proposal meets the criteria for a minor subdivision and that such subdivision meets the standards in Section 4.02 above, the Director of the CCRPC shall, within seven (7) business days,

approve or otherwise take action on said minor subdivision. If such subdivision is approved, the survey shall be marked *"APPROVED, COSHOCTON COUNTY REGIONAL PLANNING COMMISSION, NO SUBDIVISION PLAT REQUIRED UNDER ORC 711.131".*

Section 4.05 Large Lot Division

Pursuant to Section 711.133 of the Ohio Revised Code, if the proposed division of land meets the following criteria, then it shall be considered a *large lot division.*

A. The proposed division has required frontage of at least sixty feet (60') along an existing or previously dedicated public street or other dedicated right of way. In addition, such division shall not involve opening, widening, extension or improvement of any existing roadway, and
B. The width of the large lot division shall at no point be less than sixty feet (60'), and
C. The proposed division shall consist of lots more than five (5) acres and not greater than twenty (20) acres in size.

Large lot divisions shall not be considered subdivisions and shall be subject to the rules as cited in Sections 4.06 through 4.08 below.

Section 4.06 Submittal Materials and Procedures

The items to be submitted and procedures to be followed for approval of a large lot division shall be the same as for a minor subdivision, as specified in Sections 4.03 and 4.04 above.

Section 4.07 Standards for Large Lot Divisions

A large lot division shall be approved when such subdivision meets the following standards:

A. The proposed lot(s) are subject to review by the Coshocton County General Health District, the County Engineer and Soil and Water Conservation District in the same manner as cited for minor subdivisions.
B. All proposed large lot divisions shall have sufficient frontage along an existing previously dedicated and maintained public roadway to comply with the following width-to-depth ratios. (The average depth and average width of the proposed lot will be used to verify compliance with this requirement)

LOT SIZE	WIDTH-TO-DEPTH
5 acres or greater, but less than 10 acres	1:3.5
10 acres or greater but less than 15 acres	1:4.0
15 acres or greater but less than 20 acres	1:4.5

C. The proposed lot(s) shall be consistent with applicable floodplain, storm water management and erosion and sedimentation control regulations.

Section 4.08 Approval of Large Lot Divisions

After determination that the proposed division meets the criteria cited in Section 4.05 and 4.07 above, the Director shall approve or otherwise take action on the proposed large lot divisions. Such action shall occur within the following time frames:

A. If the proposed large lot division consists of one (1) through six (6) parcels, the action shall be taken within seven (7) calendar days.
B. If the proposed large lot division consists of seven (7) through fourteen (14) parcels, the action shall be taken within fourteen (14) calendar days.
C. If the proposed large lot division consists of fifteen (15) or more parcels, the action shall be taken within twenty-one (21) calendar days.

If such large lot division is approved, the Director shall so indicate by marking upon the deed or instrument of conveyance *"APPROVED, COSHOCTON COUNTY PLANNING COMMISSION, NO SUBDIVISION PLAT REQUIRED UNDER ORC 711.133".*

Section 4.09 Exempt Parcels

An *"EXEMPT"* stamp will be used for parcels approved because they are exempt from subdivision regulations pursuant to Section 1.08 of these regulations and Chapter 711 of the Ohio Revised Code. An exemption under this Section shall require a statement, signed by the grantor and grantee, that certifies that the parcel shall only be used for agricultural or personal recreational purposes (see **APPENDIX A).**

ARTICLE V
MAJOR SUBDIVISION APPROVAL

Section 5.01 Applicability

If the proposed subdivision does not meet the standards for a minor subdivision, as specified in Section 4.01 above, a large lot division as specified in Section 4.05, or an exempt parcel as specified in Section 1.07, the review and approval procedures as specified in this Article shall apply.

Section 5.02 Pre-Application Meeting

Prior to preparation of a preliminary plan, an Owner/Developer is encouraged to meet with the staff of the CCRPC to become familiar with the provisions of these regulations. The submittal of a concept or sketch plan for the proposed development is recommended.

Section 5.03 Application for Preliminary Plan

Upon determining to proceed with a preliminary plan, the Owner/Developer shall submit three (3) copies of the preliminary plan to the CCRPC, along with one (1) electronic copy and all applicable fees. Such application shall be submitted to the CCRPC not less than fifteen (15) days prior to a regularly scheduled meeting of the Commission. If the preliminary plan contains three (3) or more lots, the Director of the CCRPC shall have the authority to require such preliminary plan to cover that portion of the entire contiguous ownership of the Owner/Developer which shall be developed within the next two (2) years.

Section 5.04 Contents of Preliminary Plan

The preliminary plan shall include the following information:

A. Proposed name of the subdivision and its location.
B. Names, addresses and telephone numbers of owners and/or developers.
C. Name, address and registration number of the Professional Engineer and/or Professional Surveyor preparing the plan.
D. Date, north arrow and plan scale.
E. Boundary lines of the proposed development and the total tract owned or controlled by Owner /Developer, along with the acreage of both.
F. Existing physical features, including any existing structures, and topography at not more than ten foot (10') intervals, based on USGS topographic information, recent aerial photography and/or ground surveys.
G. Portions of the site identified by the Federal Emergency Management Agency (FEMA) as within the Official Flood Hazard Area for the 100-

Year Flood, as specified on Official Flood Hazard Boundary Maps for Coshocton County, as may be amended.

H. Portions of the site identified as subject to previous or current mining or natural gas or oil drilling activity and subject to potential subsidence, and/or reclaimed strip mine land.

I. Portions of the site subject to federal wetlands requirements, based on a determination as available by the Coshocton County Soil and Water Conservation District or other government agency having jurisdiction thereof.

J. Method(s) for sewage treatment and disposal, and water supply.

K. Any existing sewers, water mains, transmission lines, culverts and other underground structures within the tract, adjacent to the tract or that will be used in developing the tract, indicating pipe sizes, grades and locations.

L. Proposed methods for addressing storm runoff, if any.

M. Proposed lot or parcel dimensions, street rights-of-way widths, water, sanitary sewer and storm sewer layout and pipe sizes, along with grades and elevation of proposed streets, storm sewers and sanitary sewers.

N. Parcels of land intended to be dedicated or temporarily reserved for public use or reserved by deed covenant along with the conditions proposed for such covenant, and for the dedications.

The CCRPC shall have the authority to require less or more information as appropriate in specific cases.

Section 5.05 Review by CCRPC

Within seven (7) working days, the staff of the CCRPC shall review the preliminary plan and submit said application to the County Engineer, the Coshocton County General Health District, and other County departments and entities as deemed appropriate by the Director. The CCRPC reserves the right to require additional information regarding the proposed development and may seek the expertise of special consultants hired for the express purpose of providing input on particular issues. If so required, the costs of such special consultants shall be paid by the Owner/Developer. After review, the staff of the CCRPC shall compile comments and inputs received from all contacted sources, along with written recommendations for action.

Section 5.06 Action on Preliminary Plan by CCRPC

In reviewing the preliminary plan, the CCRPC shall consider the recommendations as provided pursuant to Section 5.05 above, as well as the following factors:

A. The provisions of the Ohio Revised Code (ORC), these regulations and other applicable laws are complied with, and

B. Whether the subdivision can be adequately served with public facilities and services under the specific circumstances, and

C. Land intended for building sites appears suitable for development and is not likely to be subject to peril from floods, erosion, continuously high water table, poor soil conditions or other menace; however, preliminary approval shall not be construed to imply or infer any warranty or assurance by the County that such hazards do not exist, or any liability thereof.

The CCRPC may approve, disapprove, or approve with conditions the submitted plan. The decision of the Commission on any submitted preliminary plan, including citation or reference for rules violated by the plat, shall be stated in writing, under the Director, and shall be issued within thirty-five (35) business days from submission of the preliminary plan, or within such further time as agreed in writing by the Owner/Developer. In cases of disapproval, the reasons for disapproval shall be clearly stated.

The decision of the CCRPC on a preliminary plan shall be separate from the subsequent decision of the Commission to approve, conditionally approve or refuse to approve a final plat.

Approval of the preliminary plan shall confer upon the Owner/Developer the right for a two (2) year period from the date of approval that the general terms and conditions under which approval was granted will not be changed, and that within the two (2) year period, the whole, part or parts of the preliminary plan may be submitted for final plat approval.

Section 5.07 Plans and Specifications for Site Improvements

The Owner/Developer shall prepare construction plans, specifications and cost estimates of any required site improvements at least thirty (30) days prior to submittal of the application for approval of the final plat. Such construction plans shall be prepared by a Professional Engineer. Two (2) copies and one (l) electronic copy of plans for projects proposing public improvements shall be submitted to the CCRPC. The estimates shall be grouped according to the following.

A. Street and parking area improvements, including curb, pavement, and storm drainage;
B. Other public site improvements, including seeding and sodding.
C. Plans for water mains and/or sanitary sewers, if applicable.

Section 5.08 Review by County Engineer

The County Engineer shall review the plans for public improvements submitted pursuant to Section 5.07 above, and, subject to his review, they shall be approved or returned with comments.

Section 5.09 Construction of Improvements or Performance Guarantees

No lot, parcel or tract shall be transferred from the proposed development nor shall any construction work be commenced on such development until the Owner/Developer has obtained the necessary approvals of the construction plans from the County Engineer.

The Owner/Developer may install, construct, have inspected and approved by the County Engineer all required site improvements prior to submitting the application for approval of a final plat or he/she may furnish satisfactory performance guarantees, pursuant to Article VIII, for the construction of such improvements.

Section 5.10 Application for Approval of Final Plat

Upon approval of the preliminary plan, and plans for public and site improvements, an application for a final plat for land being subdivided shall be submitted by the Owner/Developer to the CCRPC. Such final plat shall incorporate all conditions required by the Commission during approval of the preliminary plan, and otherwise conform to the preliminary plan as approved. The Owner/ Developer may apply for a final plat covering that portion of an approved preliminary plan which he/she proposes to develop and record at the time, provided that such portion conforms to all provisions of these regulations. Nonetheless, final plats for all portions of the tract covered by the preliminary plan shall be developed within a two (2) year period, unless an extension of time is granted by the CCRPC.

Application for the final plat approval shall be submitted in writing to the CCRPC, together with four (4) copies and one (1) electronic copy of the final plat and such other maps and data as required in Section 5.11 below. Such application shall be submitted not less than fifteen (15) days prior to the next regular meeting of the CCRPC. The application shall include all fees as applicable for the final plat, as established by the Board of County Commissioners under separate Resolution. The CCRPC shall submit copies of the application to the Coshocton County General Health District for review and comment, along with notification of the date when the plat will be considered by the CCRPC.

Section 5.11 Contents of Final Plat

The final plat shall be prepared by a registered Professional Surveyor in accordance with the Minimum Standards for Boundary Surveys in the State of Ohio as found in the Ohio Administrative Code, Chapter 4733-37. The information shown shall include, but not be limited to the following:

A. Name of the subdivision and the political township, name, range, section, military quarter and lot number, and/or village name in those cases where the subdivision occurs within an unincorporated village, as appropriate. In addition, the names of all adjacent property owners, and the names and lot numbers of any abutting subdivisions shall be shown.

B. North arrow and scale.
C. Sheet and total number for each sheet.
D. A key map, consisting of a small drawing of an area large enough to adequately locate the proposed subdivision in the area, by reference to easily identifiable roads, rivers, towns, etc.
E. A metes and bounds legal description of the boundary of the proposed subdivision.
F. The bearings and distances of all lot lines and/or areas dedicated to public uses, including street rights-of-way and centerlines. Curved lot lines shall be identified by direction of the curve (right or left), length of arc, the radius (in feet and decimal parts thereof), the long chord bearing and distance, and points of curvature.
G. Lot numbers. Lot numbers shall be continuous within any contiguous subdivision(s) having the same name.
H. Street names and right-of-way widths.
I. The location of all permanent survey markers and/or monuments.
J. Building setback lines with their distance from the right-of-way and adjacent lot lines.
K. Dimensions of utility and other easements.
L. All required certifications and approvals, including construction guarantees and acceptance of streets and other public areas.
M. Protective covenants and/or deed restrictions, if any.

Section 5.12 Review by CCRPC

If the application for final plat approval as submitted to the CCRPC pursuant to Section 5.11 above conforms to the provisions of the Ohio Revised Code and these regulations, and is consistent with the preliminary plan with such changes as required by the CCRPC, such application for final plat approval shall be reviewed by the staff of the CCRPC.

The final plat shall be considered as officially submitted for final review on the date that the application for final plat approval, along with a recommendation, is transmitted by the staff to the CCRPC for action, and shall be so certified.

Section 5.13 Action by CCRPC

Within five (5) business days after submission of the plat for final review, pursuant to Section 5.13 above, the CCRPC shall schedule a meeting to consider the plat, and send written notice by regular or electronic mail, to the Fiscal Officer and members of the Board of Township Trustees of the township within which the proposed plat is located. The notice shall inform the Trustees of the date, time and location of the meeting at which the CCRPC will consider or act on the final plat. Such meeting shall take place within thirty (30) calendar days from submittal of the plat, and no meeting shall be held until at least seven (7) calendar days have passed from the date the notice was sent by the CCRPC.

The CCRPC shall approve, conditionally approve, or refuse to approve the final plat within thirty calendar (30) days from the date that the final plat is submitted, or

within such further time as the Owner/Developer may agree to in writing. The approval of or refusal to approve the final plat shall be indicated in writing on the plat by the signature of the Secretary or other authorized agent for the CCRPC. Reasons for refusal to approve the final plat shall be cited in writing to the Owner/Developer and on the records of the CCRPC, including citations or references to the requirements or provisions of the applicable regulations that are inconsistent with the final plat.

If the CCRPC fails to act upon the final plat within the time allotted, the plat shall be considered as approved, and the certificate of the CCRPC as to the date of the submission of the plat for approval, pursuant to Section 5.13 above, and the failure to take action thereon within such time, shall be issued on demand and shall be sufficient in lieu of the written endorsement or other evidence of approval.

Section 5.14 Conditional Approval

The CCRPC may grant conditional approval to a final plat by requiring the Owner/Developer to alter the plat or any part of it, within a specified period after the end of the thirty (30) calendar days, as a condition for final approval. Once all conditions have been met within the specified period, the CCRPC shall cause its final approval to be endorsed on the plat. No plat shall be recorded until it is so endorsed with the CCRPC's final or unconditional approval.

Section 5.15 Appeal of Plat Denial

Within sixty (60) calendar days after refusal to approve the final plat, the Owner/Developer may file a petition in the Court of Common Pleas, in which he/she shall be named plaintiff. Pursuant to Section 711.09 of the Ohio Revised Code, the petition shall contain a copy of the plat sought to be recorded, a statement of facts justifying the propriety and reasonableness of the proposed subdivision, and a request for an order directed to the Coshocton County Recorder to record such plat. Such petition may include a statement of facts to support the claim that the rules and regulations are unreasonable and/or unlawful.

Section 5.16 Recording of Plat

The final plat shall be filed and recorded by the Owner/Developer in the Office of the Coshocton County Recorder within one-hundred-twenty (120) days following signing of the final plat by the County Commissioners. If the Owner/Developer fails to file the plat within such period, the approval previously granted by the CCRPC shall become null and void at the option of the CCRPC. If any change is made in the final plat after approval of the Commission, the approval shall be null and void. After recording the final plat, transfer of ownership may take place.

ARTICLE VI
VARIANCES

Section 6.01 Variances

Pursuant to ORC 711.10, where the CCRPC finds that extraordinary and unnecessary hardship may result from strict compliance with these regulations due to unusual topographical and/or other exceptional conditions, it may modify these regulations so as to relieve such hardship, provided such relief may be granted without detriment to the public interest and without impairing the intent and purpose of these regulations or the desirable development of the neighborhood and community.

Section 6.02 Criteria for Variances

Such variances shall only be granted in cases of special exceptional conditions, involving physical conditions of the land, whereby strict application of such provisions or requirements would result in practical difficulty and unnecessary hardship that would deprive the owner of the reasonable use of the land and buildings involved. In granting such variance, the Commission shall find that such conditions do not apply generally to other land in the vicinity, that such hardship has not been caused by the applicant, and that the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation at issue.

Section 6.03 Additional Variance Standards

A. One or more variance(s) may be requested by the applicant at the time of submission of the preliminary plan or final plat. Such variances will be addressed in the normal processing of the proposed plan or plat.

B. In granting variances or modifications, the CCRPC may require such conditions as will, in its judgment, secure substantially the objective of the standards or requirements so varied or modified.

C. Any variance granted by the CCRPC shall be noted in writing on the final subdivision plat.

ARTICLE VII
AMENDMENTS

Section 7.01 Amendments

Whenever the public necessity, co1wenieuce or general welfare require these regulations may be amended, supplemented or changed, subject to the requirement of Chapter 711 of the Ohio Revised Code. Before any such amendment is adopted the Commission shall hold a public hearing. Notice of such hearing shall be sent to the Fiscal Officer and member of the respective Boards of Township Trustees of all townships in the County by regular or electronic mail at least thirty (30) business days before the hearing. No such amendment shall take effect unless adopted by the Board of Coshocton County Commissioners after a public hearing. After adoption by the Board of Coshocton County Commissioners, a copy of the amendment shall be certified by the CCRPC to the County Recorder.

ARTICLE VIII
OBLIGATIONS OF OWNER/DEVELOPER AND COUNTY

Section 8.01 Required Improvements

The Owner/Developer who desires to develop any major subdivision subject to this Resolution shall provide and pay the entire cost of improvements applicable to the proposed development, as follows:

A. Streets and parking areas, including drainage structures, bridges, curbing, on-site improvements to existing roadways and other improvements as may be required pursuant to the provisions of these regulations.
B. Sanitary sewers (including manholes, services and appurtenances) and water distribution system (including mains, services, valves, fire hydrants and all appurtenances) as applicable.
C. Monuments, stakes and property pins.
D. Street signs designating the name of each street at each intersection within the development and regulatory signs required for traffic safety control.
E. Utilities, including electric, telephone and cable television services; however, these costs may be shared with the respective utility companies according to such arrangements as may be made between said utilities and the Owner/Developer.
F. All other improvements shown on the plans as approved by the County Engineer.

Section 8.02 Obligations of Owner/Developer

The Owner/Developer of the major subdivision being developed shall be subject to the following obligations:

A. All construction work and materials used in connection with improvements shall be installed subject to inspection by the County Engineer. The Owner/Developer shall be responsible for the payment of all fees and costs incurred by the County pertaining to the review and inspection of the improvements, pursuant to Section 3.04.
B. The Owner/Developer, or his agent, shall give three (3) working days notice to the County Engineer for any inspection to be conducted. The Owner/Developer shall also insure that no work shall be covered or obscured prior to inspection.
C. The Owner/Developer shall furnish proof of insurance, and shall hold the County free and harmless from any and all claims for damage of any nature arising or growing out of the construction of improvements or resulting from improvements and shall defend, at his own cost and expense, any suit or action brought against the County by reason thereof.

D. All improvements and utilities will be satisfactorily installed within one year from the date of approval of the Construction Plans or within such time schedule as presented and approved by the CCRPC.

E. As an alternative to the construction and approval of the required public improvements prior to recording the final plat, an acceptable performance assurance equal to one-hundred twenty-five percent (125%) of the estimated cost of all required improvements shall be deposited with the County. Such performance assurance shall consist of one of the following:

1. A performance or construction bond equal to one hundred twenty-five percent (125%) of the estimated construction cost as approved by the County Engineer for the public improvements. Such bond shall be without time limit and shall be on approved bond forms as provided by the County,
2. A certified check equal to one hundred twenty-five percent (125%) of the estimated construction cost as approved by the County Engineer for the public improvement;

F. All permits and approvals, including those from federal, state or other local agencies or entities, shall be obtained and all fees paid prior to beginning any construction of improvements.

G. During construction and prior to acceptance of any public improvement, the Owner/Developer shall remove or cause to be removed such dirt and debris and foreign matter from all public rights of way, improvements and/or easements as were deposited, left or resulted from the construction of improvements of any nature within the development. Such removal shall take place within twenty-four (24) hours after being notified by the County that such work is required, and shall be completed to the satisfaction of the County Engineer.

H. All public improvements shall be guaranteed by the Owner/Developer for a period of one year from the date such improvement is accepted, in writing, by the County Engineer. Such guarantee shall consist of a maintenance bond, certified check or other acceptable instrument, for ten percent (10%) of the total cost of the improvements. Such guarantee shall include any and all defects and deficiencies in workmanship and materials. The cost of all labor, materials, equipment and other incidentals required to maintain, repair and replace any or all of such improvements and to maintain them in good and proper condition, excluding ordinary wear and tear, but including filling trenches and restoring lawns, sidewalks, yards, streets, sewers, pipe lines, etc., during the one year guarantee period shall be assumed by such Owner/Developer. In the event the Owner/Developer fails to make such maintenance, repairs or replacements within a reasonable time after notice in writing by the County, or in the event of an emergency which may endanger life or property, the County may make or cause to be made, such repairs or replacements from the above guarantee.

I. The Owner/Developer shall execute a subdivider agreement with the County, specifying the terms and conditions required under this

Section of this Resolution. Such subdivider agreement shall be subject to approval by the CCRPC and County Prosecutor.

J. No person or owner shall violate any of the regulations established in this Section and upon violation the County shall have the right to:
   1. Stop all work on the development site forthwith.
   2. Hold the bonding company responsible for the completion of the public improvement according to the approved construction drawings and the agreement.

K. The Owner/Developer shall provide as built drawings of all public improvements.

ARTICLE IX
MINIMUM DESIGN STANDARDS AND REQUIREMENTS

Section 9.01 Conformity with Requirements

The design standards and requirements of this Article shall apply to all subdivisions of land as defined in Article II.

A. Conformity with County Plans and Specifications

All public improvements, including private streets, undertaken in any subdivision shall conform to the standards of this Article and the **Standard Plans and Specifications,** as may be adopted and subsequently amended by Coshocton County.

B. Conformity with Zoning

No final plat of land within any area in which an existing zoning resolution is in effect shall be approved unless it conforms with such resolution.

C. Land Use/Comprehensive Planning

The design of a proposed subdivision of land shall be in general conformance with the recommendations of land use and/or comprehensive plan(s) prepared for and adopted by Coshocton County for the area.

Section 9.02 General Subdivision Design

Generally, the development of the subdivision shall be based on an analysis of environmental characteristics of the site. To the maximum extent possible, development shall be located so as to preserve the natural features of the site, avoid areas of environmental sensitivity, and minimize negative impacts on and alteration of natural features. The following specific areas should be preserved as undeveloped open space, to the extent consistent with reasonable utilization of the land, in accordance with other applicable state or local regulations:

A. Wetlands, as defined in Section 404, Federal Water Pollution Control Act Amendments of 1972, subject verification by the USDA Natural Resources Conservation Service, or other agency authorized to make such determination.

B. Special Flood Hazard Areas as specified in Section 9.03 below.

C. Slopes in excess of eighteen percent (18%) unless appropriate engineering methods are employed to address erosion, stability and resident safety, pursuant to Article XI of this Resolution.

Section 9.03 Special Flood Hazard Areas

All subdivision of land(s) is subject to requirements of the **Special Purpose Flood Damage Reduction Resolution 2010-13,** as adopted by the Coshocton County Commissioners March 1, 2010, as may be subsequently revised. If the CCRPC finds that land proposed for major or minor subdivision development, in whole or in part, is within the Special Flood Hazard Area as defined by the above Resolution, the CCRPC shall not approve such subdivision unless specific approval for such subdivision development is obtained by the Owner/Developer from the Coshocton County Floodplain Administrator.

If the CCRPC determines that only part of a proposed subdivision can be developed in compliance with these requirements, it shall limit development to only that portion, and shall require that the method of development is consistent with its determination.

The CCRPC reserves the right to attach other reasonable conditions as are appropriate to the approval of plats within areas subject to flooding. Such conditions may include, but are not limited to, requirement for the construction of dikes, levees or other similar measures, or floodproofing of structures.

Section 9.04 Erosion and Sedimentation Control

The Owner/Developer shall use adequate measures to minimize erosion and its impacts during subdivision construction activity. The CCRPC shall have the authority to require detailed erosion and sedimentation plans be submitted if it is determined that the size and/or scale of the proposed subdivision warrants such action. Generally, such a plan shall be required for, but not limited to, major subdivisions comprising more than twenty-five (25) lots or more than fifteen (15) acres, or if the subdivision is located where average slope exceeds five percent (5%).

Such plans shall be prepared by a Professional Engineer, and indicate the techniques to be used to control erosion both during construction and permanently, and include a schedule for installing same. Erosion control plans shall be based on the control of erosion on-site, with the objective of eliminating or minimizing erosion and sedimentation impacts off-site. Techniques, devices and/or measures used shall be reviewed and subject to approval by the County Engineer in cooperation with the Coshocton Soil and Water Conservation District (SWCD).

All erosion and sedimentation control devices shall be in place at the start of construction activity.

Section 9.05 Surface Runoff and Storm Drainage

A. General

No subdivision plan or plat shall be approved that does not make adequate provision for stormwater runoff and flood waters. The CCRPC shall have the authority to deny subdivision approval for areas of extremely poor drainage, including subdivisions in areas dominated by soils classified as hydric soils, as determined by the Coshocton Soil and Water Conservation District (SWCD). In any subdivision, the storm drainage system shall be separate and independent of any sanitary sewer system.

B. Preservation of Natural Drainage Courses

The flow of all existing drainage courses, including underground drainage systems, shall not be impeded. Such underground drainage systems, including farm field tile systems, shall be identified and mapped as part of the preliminary plan.

No natural drainage course shall be altered and no fill, buildings or structures shall be located unless provision is made for the flow of storm runoff and/or surface water. An easement shall be provided on both sides of the existing surface drainage course adequate for the purpose of future widening, deepening, enclosing or otherwise improving said drainage course. If such drainage course crosses private property, easements must be obtained by the Owner/Developer for construction and future maintenance. These easements must be shown on the final plat, including the volume and page number of the recorded easement.

C. Outlets

No subdivision plan or plat shall be approved by the CCRPC unless an adequate outlet for storm water, as shown on the plan or plat, is approved by the County Engineer. Generally it will be necessary to pipe storm water to an adequate watercourse, stream or existing storm system which has the capacity to accommodate the flow, or to utilize acceptable on-site water retention methods adequate to minimize excessive off-site storm water flows.

D. Submittal of Drainage Data

Information and data pertaining to water volumes and velocities for all watersheds entering and on the property, along with calculations to show that proposed drainage improvements will adequately address such flows, shall be submitted to the County Engineer, along with required Construction and Grading Plans. Storm drainage systems shall be designed so as to be in compliance with *Rainwater and Land Development: Ohio's Standards for Storm Water Management,* as may be subsequently revised.

E. Culverts

All culverts utilized in subdivisions shall have the appropriate headwalls and/or other structures and improvements to protect the facility. Culverts shall be designed to accommodate the 25-year frequency storm.

F. Open Drainage Channels

The determination as to whether a specific drainage course shall be enclosed or open shall be made by the County Engineer. The cross section and profile of any open channel and its banks shall be subject to review and approval by the County Engineer in cooperation with the Coshocton Soil and Water Conservation District (SWCD).

G. Perpetual Maintenance

Prior to dedication of storm water systems as a public facility, arrangements shall be made by the Owner/Developer for perpetual maintenance of all stormwater systems, including outlets, utilizing the provisions of ORC 6131 and/or 6137, as appropriate. Such arrangements shall be subject to review and approval by the County Engineer.

Section 9.06 Streets

A. General

No major subdivision shall be approved unless the area to be subdivided has frontage and/or access from an existing federal, state, County or township roadway. The Owner/Developer shall provide within the boundaries of the subdivision plat the necessary rights-of-way for widening, continuance or alignment of such streets in conformity with the Official Thoroughfare Plan.

B. Street Design

All streets shall be designed with appropriate regard for topography, streams, wooded areas, soils, geologic limitations and natural features. Roadways shall further be designed to permit efficient drainage and utility systems layouts while providing safe and convenient access to property.

C. Conformity with Official Thoroughfare Plan

Streets shall generally conform to the Official Thoroughfare Plan for the County. For streets not indicated on the Thoroughfare Plan, the arrangement shall provide for appropriate extensions of existing streets.

D. Classification, Street Widths and Street Grades

Streets shall be classified as shown on **APPENDIX B.** The arrangement and classification of all streets in newly developed areas shall conform to the Thoroughfare Plan. The CCRPC shall make the final determination as to the classification of any new street, based on the proposed development of the site, and its potential traffic volume, expressed in ADT (Average Daily Traffic), the character of the surrounding area, and the Thoroughfare Plan. The material and technical specifications for various street classifications, including profiles, shall be as specified in the **Standard Plans and Specifications.**

For any major or minor subdivision along an existing County or township roadway not designated on the Official Thoroughfare Plan, provisions may be required to set aside the necessary right-of-way for traffic, utilities and drainage with the minimum right-of-way for a local street.

E. Alignment

1. The street pattern shall make provision for the continuance of streets into adjoining areas and for the connection to existing rights-of-way in adjacent areas.
2. If a subdivision adjoins or contains an existing or proposed arterial or major collector street, the CCRPC may require marginal access streets or reverse frontage with a planting strip of a minimum width of twenty (20) feet on the rear of those lots abutting the street, and no vehicular access across the strip.
3. Local streets shall be laid out so as to discourage use by through traffic.
4. Streets shall intersect one another at ninety (90) degrees, or as near to ninety (90) degrees as possible, but in no case less than seventy-five (75) degrees. The intersecting street must remain within these degree parameters for a distance of not less than one-hundred feet (100') from the intersection. Approaches to intersections shall be reduced to a grade not exceeding three percent (3%) for a distance of one-hundred-fifty feet (150').
5. Property lines at street right-of-way intersections shall be rounded with a radius not less than twenty feet (20').
6. Street jogs shall be discouraged. Where such jogs are unavoidable, in no case shall the centerlines be offset by less than 125 feet.
7. The maximum length of a cul-de-sac shall be 1,000 feet, measured from the centerline of the intersecting street to the middle of the turnaround.
8. Half width streets shall be prohibited.
9. Reserve strips or easements designed in such a manner so as to deny access from owners of adjacent property to the street shall be prohibited.

10. Permanent dead-end streets shall not be permitted. Temporary dead-end streets shall be permitted only as part of a future continuous street plan. When the street is temporarily dead-ended at the property line, a temporary turnaround shall be required; however, such turnaround cannot be considered as road frontage for the construction of additional lots.

F. Street Names

The names of new streets shall not duplicate names of existing dedicated streets except that new streets which are extensions of existing streets shall bear the names of such existing streets. All new roadways shall be named according to the following schedule:

DIRECTION	**CUL-DE-SACS.**	**ALL OTHER STREETS.**
North/South	*Place*	*Street*
East/West	*Court*	*Avenue*
Diagonal	*Way*	*Road*
Curving (over 1,000 ft.)	*Way*	*Drive*
Curving (under 1,000 ft.)	*Way*	*Circle*

Notwithstanding the above, streets in new platted subdivisions may be designated by numbers, as assigned by the county Engineer.

G. Blocks

Blocks shall be a minimum of 500', and shall not exceed 1,500 feet in length except where specific topographic conditions require a lesser or greater length. Blocks for non-residential subdivisions shall be designed to accommodate the building sites and provide for yards, internal service drives, off-street parking and other facilities pursuant to the applicable zoning resolution.

H. Dedication

The necessary rights-of-way for widening or extension of all roadways, as delineated in the Thoroughfare Plan, shall be dedicated to public use. When a subdivision fronts on an existing County or township road, dedication of rights-of-way shall be made to the proper authority.

I. Private Roads

Private roads shall be allowed. under specific conditions subject to the requirements of **APPENDIX C** of this Resolution.

J. Driveways

Driveway location, construction and spacing shall comply with the **Smart Growth Transportation Policy: A Guide to Access Management,**

as may be subsequently amended, and the **Standard Plans and Specifications.**

K. Alleys

New major or minor subdivision development shall not be permitted in cases where the sole access to the property is from an alley, as defined in Article II.

L. Curbs and Gutters

Curbs and gutters shall be required in any residential subdivision where average lot width is less than one-hundred feet (100') feet or less, and in any non-residential subdivision. Curbs and gutters may also be required by the CCRPC in areas of documented flash flooding, heavy rain runoff or flat (less than 2% slope) topography. All curbs and gutters shall be constructed according to the **Standard Plans and Specifications.**

M. Streets in Non-Residential Subdivisions

Any subdivision created to accommodate commercial or industrial uses shall be considered a non-residential subdivision. In addition to the rules and requirements stated in these subdivision regulations, the Owner/Developer of a non-residential subdivision shall demonstrate that the following standards and principles have been incorporated into the design:

1. The street and lot layout is appropriate to the land uses proposed and conforms to any adopted land use plans and/or zoning resolutions in the area.
2. Additional street standards regarding rights-of-way, pavement widths, type and quantities of materials may be imposed by the CCRPC upon recommendation of the County Engineer.
3. Every effort shall be made to protect existing adjacent residential property from any adverse impacts as result of the proposed development.
4. Streets carrying non-residential traffic shall not normally be extended to the boundaries of existing or potential adjacent residential areas, or connected to streets intended for predominately residential traffic.

Section 9.07 Lots

A. Frontage

All lots shall have required frontage on an approved and improved public street or private road pursuant to Section 9.06 above.

B. Lot Area and Frontage Requirements

1. Lots in all major or minor subdivisions not served by public water and sewer systems, or served only by public water, shall have lot areas as determined by the Coshocton County General Health District, but in no case less than one half (0.5) acre. In residential subdivisions served by water and/or sewer systems, minimum lot area shall be determined by the following schedule:

	MINIMUM LOT AREA
WATER AND SEWER AVAILABLE	**10,000 S.F.**
SEWER ONLY AVAILABLE	**15,000 S.F.**

2. All lots less than five (5) acres in size shall have sufficient frontage to maintain a depth-to-width ratio of 3.5-1. Large lot divisions shall have a depth-to-width ratio as specified in Section 4.07 of this Resolution. In no case shall any lot in a major or minor subdivision or large lot division have less than sixty feet (60') frontage.

3. In commercial or industrial subdivisions served by public water and/or sewer systems, the minimum lot area shall be sufficient to adequately provide for off-street parking, loading and storage facilities, but not less than one half (0.5) acre. In commercial or industrial subdivisions not served or partially served by public water and/or sewer systems, the minimum lot size shall be determined by the CCRPC during the pre-application stage of the platting process.

C. Building Setbacks

1. In all subdivisions, proposed building setbacks for all lots shall be clearly shown on the final plat.

2. In all subdivisions, proposed building setbacks shall be not less than fifteen feet (15') from side and rear lot lines.

3. In residential subdivisions, front building setbacks shall not be less than thirty feet (30') from the street right-of-way.

4. In commercial or industrial subdivisions, building setbacks shall be sufficient to adequately provide for off-street parking, loading and storage facilities, but in no case less than the standards above.

D. Shape

All residential lots shall be approximately rectangular in shape, and shall have a depth-to-width ratio as specified in Section 9.07 B 1 above. Any variance from this standard may be granted by the CCRPC only pursuant to Article VI of this Resolution.

E. Flag Lots

Flag lots are prohibited unless the size of the lot exceeds twenty (20) acres and at no point shall the width of the lot be less than sixty feet (60'). Flag lots shall not be "stacked" (i.e., one behind another flag lot)

F. Double Frontage Lots

Double frontage and reverse frontage lots should be avoided, except where required to provide separation from arterial streets, or to overcome specific conditions of topography and/or orientation. In such cases, an easement shall be provided along the rear lot line across which there shall be no vehicular access.

G. Easements

When necessary, easements shall be provided alongside and rear lot lines for utility lines. Easements shall be provided on both sides of any public open or enclosed drainage course, for the purposes of widening, deepening or general maintenance. Such easements shall comply with the requirements of Section 9.09 below. In no case shall a fence or any other obstruction be constructed on any easement.

Section 9.08 Public Water and Sanitary Sewer Systems

In those cases where the Coshocton County General Health District determines that a proposed subdivision cannot be served by on-site systems and must be served by a central sewage treatment and disposal and/or water supply and distribution system, such system(s) shall comply with the following standards:

A. The design of the overall system(s) shall be in conformance with the requirements of the **Standard Plans and Specifications,** the Ohio Environmental Protection Agency (OEPA), the Ohio Department of Health and **Ten State Standards.**

B. Sanitary sewer and/or water lines should be located in the street right-of-way,

C. Sewage lift stations and/or sewage grinder pumps are strongly discouraged. Only under circumstances of extreme hardship and with specific approval of the CCRPC shall such systems be permitted in subdivisions established after the effective date of this Resolution. The

Owner/ Developer shall be responsible for all costs associated with construction, overview and continued maintenance and any such systems until such time that eighty-five percent (85%) of the lots in the subdivision are developed.

Section 9.09 Easements

A. Utility Easements

Easements shall be required for poles, wire, cable, conduits storm and sanitary sewers, water lines, gas lines and/or other utility lines. Prior to approval of the final plat, the Owner/Developer shall certify that the location and width of any and all utility easements has been approved by the utility company providing service to the area. Generally, such easements shall be a minimum of sixteen feet (16') in width and be located along front, rear and/or side lot lines. Easements of greater width may be required in particular cases, upon determination of the CCRPC and the local utility.

B. Drainage Easements

When any stream or surface drainage course is located within a proposed subdivision, the Owner/Developer shall provide an easement along each side of such stream or water course for the purpose of widening, deepening, relocating or other maintenance. The width of such easement shall be determined by the CCRPC, upon recommendation by the County Engineer and/or the Coshocton Soil and Water Conservation District (SWCD).

Section 9.10 Public Sites and Open Space

A. Required Dedication or Reservation

Where a proposed park or school site, as shown on a land use/comprehensive plan adopted by Coshocton County, is located in whole or in part within a proposed subdivision containing ten (10) or more lots, the CCRPC may require the following:

1. The dedication to the public of part or all of the proposed site and/or
2. Reservation of the site for a period of up to three (3) years to enable acquisition by the appropriate agency or entity.

B. Minimum Dedication Requirements

In such subdivisions as referenced above, the Owner/Developer shall be required to reserve a minimum often percent (10%) of the total area of the land included in the proposed plat as permanent open space. The open space shall either be dedicated to a public agency which has

expressed a desire to accept and maintain the open space, or shall be transferred to a private or nonprofit association or entity with acceptable provisions for the perpetual maintenance of the open space, as shall be stated on the final plat.

Land proposed for open space in order to meet this requirement shall be suitable for recreational purposes. The CCRPC shall have the authority to determine whether or not the proposed open space and maintenance provisions are acceptable.

C. Fee in Lieu of Dedication

Where the CCRPC determines that the open space as proposed by the Owner/Developer within the subdivision is not desirable, the Owner/Developer shall be required to pay an amount equal to ten percent (10%) of the total true value of the land within the proposed subdivision, as shown on the current Coshocton County tax records, to the County. This payment in lieu of dedication shall be placed in a separate fund to be used by the County only for the purposes of open space acquisition or improvement of public open space and recreational facilities for the benefit of the residents of Coshocton County.

Section 9.11 Sidewalks

A. Sidewalks may be required for new subdivisions in unincorporated villages, and in other major subdivisions where the average lot width is less than one-hundred feet (100').

B. If so required, all sidewalks shall be four feet (4') wide, constructed of concrete, brick or similar hard paved surface, underlain with not less than four inches (4") of gravel, limestone or similar compacted material and shall meet the other requirements of the **Standard Plans and Specifications.**

Section 9.12 Monuments

The standards for monument location and materials shall be as specified in Ohio Revised Code (ORC) 711.03 and Ohio Administrative Code 4737-37-03, as may be subsequently amended.

ARTICLEX
SITE IMPROVEMENTS

Section 10.01 General

Coshocton County has developed **Standard Plans and Specifications** for site improvements as required by these subdivision regulations. Those standards, as may be amended, are hereby incorporated by reference.

The Owner/ Developer shall be responsible for the costs of all inspections and tests required by the CCRPC, County Engineer, or other County entity, to establish that the materials and methods utilized in construction of the improvements meet the specifications.

Section 10.02 Streets

A. Street Grading

No street grading shall be performed nor improvements installed until the final construction plans have been approved by the County Engineer and inspection fees have been paid. No street grading shall be commenced without three (3) working days notice to the County Engineer.

B. Street Signs

The Owner/Developer shall purchase and install street name, traffic directional and parking signs at intersections and other locations as approved by the County Engineer. The material, graphics and content are subject to approval by the County Engineer. All signs shall conform to the ***Uniform Manual of Traffic Control Devices.***

Section 10.03 Certification of Improvements

Upon the completion of construction, and prior to acceptance by the County, the Owner/Developer shall provide the CCRPC with a letter which certifies that the construction is in conformance with the approved Construction Plans and the **Standard Plans and Specifications.**

Section 10.04 Responsibility and Liability During Construction

No streets or public improvements shall be the responsibility of any public entity prior to formal acceptance. Until such time as such improvements have been approved and accepted, the Owner/Developer shall assume full responsibility and liability for all areas dedicated to the public, and the improvements thereon. The Owner/Developer shall agree to indemnify and hold harmless the County until such time as the improvements are accepted.

ARTICLE XI
IDLLSIDE REGULATIONS

Section 11.01 General

These regulations shall apply to all hillside areas, herein defined as areas where the average slope exceeds fifteen percent (15%). The final determination as to whether a particular minor or major subdivision is subject to these requirements shall be made by the CCRPC. In such cases, the CCRPC and/or County Engineer is hereby granted the authority to require additional material to be added to that specified in Article V of this Resolution, in order to determine compliance.

Section 11.02 Cut and Fill

No land shall be graded, cut or filled so as to create a slope exceeding a vertical rise of one (1) foot for each two and one half (2 1/2) feet of horizontal distance between abutting lots or adjoining tracts of land, unless a retaining wall of sufficient height and thickness is provided to prevent slides and erosion.

Section 11.03 Streets

Final grades on all streets shall be as determined by the County Engineer on a case-by-case basis using the **Standard Plans and Specifications.** All fill used on streets shall be compacted in accordance with Ohio Department of Transportation Specifications and the **Standard Plans and Specifications.**

Section 11.04 Retaining Walls

Retaining walls may be required whenever topographic conditions warrant or where necessary to retain fill or cut slopes within street rights-of-way.

ARTICLE XII
PLANNED UNIT DEVELOPMENT

Section 12.01 Purpose

A planned unit development approach may be permitted in specific cases to allow for a more flexible pattern of land use than would otherwise be accomplished by strict adherence to these subdivision regulations. Toward that end, the CCRPC shall have the authority to modify these subdivision regulations for specific planned unit developments, in accordance with the standards of this Article.

Section 12.02 Definition

"Planned Unit Development" (or PUD) shall mean a single property in which a variety of uses and/or housing types are accommodated in a planned environment, under more flexible standards, such as lot size and setbacks, than would normally apply under these regulations. The effective use of such flexible standards and generally higher residential densities means that the approval of planned unit developments typically involves additional requirements to those of the standard subdivision regulations.

Section 12.03 Procedures

Any proposed planned unit development shall be addressed as a major subdivision and submitted and processed in accordance with the procedures in Article V of these regulations. In addition to the material required for a preliminary plan in Section 5.04, the Owner/Developer shall submit a written statement certifying that the subdivision is to be developed as a PUD and setting forth the reasons why the property should be so developed.

Section 12.04 General Requirements

The total area of a tract to be developed as a planned unit development shall not be less than twenty (20) acres. Not less than forty percent (40%) of the site shall be reserved as permanent open space and/or recreational facilities. All such open space shall be held in corporate ownership by the Owner/ Developer or owners of the property within the development, and shall be protected and maintained by the provision of private covenants or other arrangements as may be approved by the CCRPC.

Section 12.05 Open Space

All open space within the planned unit development shall either be dedicated to a public entity which has expressed a desire to accept and maintain the open space, or

shall be transferred to a private association or entity, with acceptable provisions for its perpetual care and maintenance, as shall be stated on the final plat.

Section 12.06 Private Roads

Private roads within planned unit developments shall be subject to the requirements of **APPENDIX C** of these regulations.

Section 12.07 Replatting

In any planned unit development having private roads, the final plat shall contain a statement that no further subdivision of lands within the subdivision shall be permitted without replatting the area involved through normal platting procedures, in accordance with Article V of these regulations.

Section 12.08 Review Criteria

In reviewing the application for a planned unit development, the CCRPC shall find that the following criteria are met, based on evidence provided by the applicant:

A. The planned unit development approach to development offers specific public benefits that could not be achieved by conventional development.

B. Any exception from specified standard requirements is warranted by the design and other amenities incorporated in the preliminary plan for the proposed development.

C. The existing public roadway network can accommodate any additional traffic to be generated by the proposed development.

D. The methods proposed for the provision of water and sewage disposal are adequate and will not impose adverse impacts on adjacent properties.

F. The soil and drainage conditions can support the proposed development as proposed.

G. That adequate methods have been proposed to alleviate any adverse impacts which may be associated with modification of the development standards resulting from use of the planned unit development approach.

APPENDIX A

CERTIFICATION FOR EXEMPTION OF PARCELS TO BE USED ONLY FOR AGRICULTURAL OR PERSONAL RECREATIONAL PURPOSES PURSUANT TO OHIO REVISED CODE SECTION 711.133

The undersigned Grantor(s) and Grantee(s) make the following statements for the express purpose of declaring as exempt from approval requirements of Section 1.08 D. of the Coshocton County Subdivision Regulations, the following described property and to stamp the conveyance *"NOAPPROVAL OR PLAT REQUIRED UNDER R.C. 711.133: FOR AGRICULTURAL OR PERSONAL RECREATIONAL USE ONLY".*

1. The Grantor(s) and Grantee(s) certify that the property proposed for exemption is described as follows:

2. The Grantor(s) hereby certify that the property described above is currently used for agricultural or personal recreational purposes. The Grantee(s) hereby certify that the property described above shall be used only for agricultural or personal recreational purposes as defined in Article II of these subdivision regulations.

3. The Grantee(s) acknowledge and understand that if the property is subsequently changed from agricultural or personal recreational purposes, no such change in use shall be made by the Grantee(s) or their successors and assigns unless and until the authorized representative of the CCRPC or his/her designated agent first determines that the property complies with the then current provisions of these regulations.

The undersigned Grantor(s) and Grantee(s) have signed this Certification on the date(s) as set forth below:

GRANTOR(S) **GRANTEE(S)**

NAME	DATE	NAME	DATE
NAME	DATE	NAME	DATE

APPENDIXB
STREET AND ROADWAY CLASSIFICATION SYSTEM

STREET CLASS	ADT RANGE	MINIMUM R.O.W. (FT.)	PAVEMENT WIDTH (FT.)	MAXIMUM GRADE	MAXIMUM DEGREE OF CURVATURE
Arterial	over 3,000	100	(SEE NOTE 1)	7%	3
Collector					
(Major)	1,500-3,000	70	32	8%	*5*
(Minor)	500-1,500	60	24	IQ%	*5*
Local	under 500	60	18	12%	38
Industrial	NA	60	36	IQ%	10
Marginal Access	NA	*50*	24	10%	IQ

NOTES:

1. Pavement width on Arterial Streets to be determined on a case-by-case basis by the CCRPC.

2. For purposes of these standards, cul-de-sac streets shall be considered Local Streets. The minimum right-of-way for the cul-de-sac shall be 55 feet. The paved area of the cul-de-sac shall be not less than 32 feet for the inside radius and 47 feet for the outside radius. The maximum grade of a cul-de-sac shall not exceed 5%.

3. The minimum grade for all new streets shall be .5%.

4. On streets without curbs, width is measured pursuant to Construction Plans. On streets with curbs. pavement width is measured from face of curb to face of curb. Required pavement width may be increased if on-street parking is allowed.

CoshoctonCountyRegionalPlanningCommission

Right-of-Way

1 – 3 lots

A right-of-way may provide approvable access to land if the right-of-way will front upon or abut an existing public road and if it will be located in an area that can be developed and approved for access by a conventional automobile. Right-of-ways shall be built to the same construction standards as a public road, as adopted by the Board of County Commissioners. However, in limited residential developments an owner/developer has the option to utilize these Right-of-way Standards. Such right-of-way shall be subject to all other provisions of the Subdivision Regulations of Coshocton County, Ohio hereinafter referred to as the Subdivision Regulations. Provided, however, any conflict between this section and any other sections of the Subdivision Regulations shall be resolved in favor of the provisions of this section. The division of any land utilizing a right-of-way must receive approval from the Coshocton County Regional Planning Commission, hereinafter referred to as the Commission.

The original owner/developer shall be responsible for the initial development and construction of the right-of-way in accordance with size and material specifications as set forth in this section, the same being as follows.

1. The owner/developer shall first meet with the Executive Director of the Commission to discuss the proposal and scope of the lot split at which meeting the owner/developer shall present a sketch plan, an application and pay whatever fees are required to be paid at that time.

2. The proposed right-of-way must receive approval from the County Access Management Department for the access of such right-of-way to and from the public road and obtain a permit therefor from the County Engineer. The owner/developer shall be responsible for the installation of the appropriate culvert where the proposed right-of-way abuts the public road and the cost thereof. Such culvert installation shall be subject to the inspection and approval of the County Engineer.

3. Prior to approval of the survey by the Tax Map Office, a right-of-way maintenance agreement shall be executed by all the owners of properties that will abut the right-of-way and benefit therefrom. Such maintenance agreement, as a minimum, shall make satisfactory provision for the following:

   (a) Identify the procedure for determining the necessity for the maintenance and repair of the right-of-way, including the necessary culverts and drainage facilities.

   (b) Identify the location of lines and other structures for utilities, provide for the necessary utility easements and make provision for notation of the same on the subdivision survey.

   (c) Dust control and snow removal.

   (d) The method of the maintenance and repair cost allocation among the owners of all the properties which will abut the right-of-way and the means by which the payment of such cost allocation shall be enforced.

   (e) The developer will have the responsibility to obtain all the required signatures to such agreement and the recording thereof.

Such maintenance agreement shall be recorded in the Coshocton County Recorder's office in conjunction with any conveyances, and a reference to such agreement and the recording information therefor shall be noted on the survey. Thereafter, all conveyances shall contain a reference to such maintenance agreement, set out the recording information for the same and a statement to the effect that the grantee therein for himself, his heirs and assigns, agrees to accept the conveyance subject to such agreement and abide by the terms and conditions thereof.

4. **The right-of-way must be a minimum of sixty feet (60') in width**, and the survey plat must show the bearings and distances.

5. The traveled **portion of the right-of-way must have a minimum sixteen foot (16') wide** aggregate surface.

6. The **right-of-way must have a minimum two foot (2') - wide**, clear and unobstructed berm with adequate drainage on each side.

7. Maximum grade shall not exceed 14%.

8. Adequate provisions must be made for T-turnaround or cul-de-sac's

9. The size of each lot be no less than one half (0.5) acre. The appropriate depth to width (frontage) standards must be met for each of the proposed lots. The minimum building setback line shall be no less than sixty feet (60') from the centerline of the right-of-way; provided, however, that such setback line shall not apply to utilities, including water well and septic tank installations.

10. The right-of-way shall not serve as a connector to or for any other right-of-way. The use of such right-of-way is limited to the owners of the parcels, their visitors, agents and licensees and cannot be used for access to/from or for the benefit of any property other than the parcels.

11. There shall be no more than three (3) parcels containing a right-of-way under this standard.

12. House numbers shall be assigned for each parcel by the appropriate County Tax Map Office for emergency vehicle response purposes, and a sign containing such house numbers shall be clearly visible for each parcel where it abuts the right-of-way.

13. If a mail receptacle is needed, The United States Post Service approved receptacles for the deposit of mail for addresses of all the parcels shall be installed and maintained in accordance with the regulations of the United States Postal Service.

Coshocton County Regional Planning Commission

Relaxed Private Road Standards

Subdivision of 4 – 5 lots

A private road may provide approvable access to land for subdivision purposes if the proposed private road will front upon or abut an existing public road and if it will be located in an area that can be developed and approved for access by a conventional automobile. Private Roads shall be built to the same construction standards as a public road, as adopted by the Board of County Commissioners. However, in limited residential developments an owner/developer has the option to utilize these Relaxed Private Road Standards. Such private road shall be subject to all other provisions of the Subdivision Regulations of Coshocton County, Ohio hereinafter referred to as the Subdivision Regulations. Provided, however, any conflict between this section and any other sections of the Subdivision Regulations shall be resolved in favor of the provisions of this section. The subdivision of any land utilizing a private road must receive approval from the Coshocton County Regional Planning Commission, hereinafter referred to as the Commission, and is considered a major subdivision.

The original owner/developer shall be responsible for the initial development and construction of the private road in accordance with size and material specifications as set forth in this section, the same being as follows.

14. The owner/developer shall first meet with the Executive Director of the Commission to discuss the proposal and scope of the subdivision at which meeting the owner/developer shall present a sketch plan, an application and pay whatever fees are required to be paid at that time.

15. The proposed private road must receive approval from the County Access Management Department for the access of such private road to and from the public road and obtain a permit therefor from the County Engineer. The owner/developer shall be responsible for the installation of the appropriate culvert where the proposed private road abuts the public road and the cost thereof. Such culvert installation shall be subject to the inspection and approval of the County Engineer.

16. Prior to approval by the Commission, a private road maintenance agreement shall be executed by all the owners of properties that will abut the private road and benefit therefrom. Such maintenance agreement, as a minimum, shall make satisfactory provision for the following:

    (a) Identify the procedure for determining the necessity for the maintenance and repair of the private road, including the necessary culverts and drainage facilities.

    (b) Identify the location of lines and other structures for utilities, provide for the necessary utility easements and make provision for notation of the same on the subdivision plat.

    (c) Dust control and snow removal.

    (d) The method of the maintenance and repair cost allocation among the owners of all the properties which will abut the private road and the means by which the payment of such cost allocation shall be enforced.

    (e) Designation of the individual who will have the responsibility to obtain all the required signatures to such agreement and the recording thereof.

Such maintenance agreement shall be recorded in the Coshocton County Recorder's office in conjunction with any conveyances of lots in the subdivision, and a reference to such agreement and the recording information therefor shall be noted on the subdivision plat. Thereafter, all conveyances of lots in the subdivision shall contain a reference to such maintenance agreement, set out the recording information for the same and a statement to the effect that the grantee therein for himself, his heirs and assigns, agrees to accept the conveyance subject to such agreement and abide by the terms and conditions thereof.

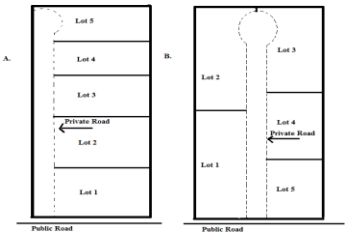
17. The final plat must be completed by a registered surveyor and must comply with the requirements set forth in the current Subdivision Regulations of Coshocton County. In addition, before any conveyance of lots can be made and before the plat can be recorded, the plat must contain a certification signed by an engineer employed by the owner/developer that the private road as constructed complies with all the private road standards set forth herein and also with all other applicable provisions of the Subdivision Regulations. Such engineer shall also deliver a letter containing this certification to the Coshocton County Regional Planning Commission and the County Engineer.

18. The names of the proposed private road and the public road on which said private road will front or abut must be clearly indicated on the subdivision plat. In addition, the plat must show the name of the subdivision, the name must include the words "Private Road" and each property which abuts the private road must be numbered as a lot in the subdivision.

19. The private roadway must be a minimum of sixty feet (60') in width, and the subdivision plat must show the bearings, distances, and acreage of the private road. Such private road shall be entirely contained within the descriptions of the various lots in the subdivision as they are subdivided and conveyed. For example:

    (a) In the instance where the private road has lots only on one side of the road, and the other side of the private road is the subdivision boundary and the owner/developer's property line boundary, the description for each of the said lots shall include all of the private road that abuts such lot; and

    (b) in the instance where there are lots on both sides of the private road, the description for each of said lots shall include only the half of the private road that abuts said lot.



20. The traveled portion of the private road must have a minimum sixteen foot (16') wide aggregate surface.

21. The private road must have a minimum two foot (2') - wide, clear and unobstructed berm with adequate drainage on each side.

22. Maximum grade shall not exceed 14%.

23. A T-turnaround or cul-de-sac shall be built at the end of the private road in accordance with the specifications as set forth in the Subdivision Regulations. A cul-de-sac and any curve in the private road shall have a minimum radius of fifty feet (50').

24. The size of each lot in the subdivision shall be no less than one half (0.5) acre. The appropriate depth to width (frontage) standards must be met for each of the proposed lots. The minimum building setback line shall be no less than sixty feet (60') from the centerline of the private road; provided, however, that such setback line shall not apply to utilities, including water well and septic tank installations.

25. There shall be no future subdividing of the subdivision's original lots. Each lot in the subdivision shall contain no more than a single one-family dwelling, together with necessary and appropriate out-buildings. Each lot in the subdivision shall be used only for residential purposes.

26. The private road shall not serve as a connector to or for any other private road. The use of such private road is limited to the owners of the lots in the subdivision, their visitors, agents and licensees and cannot be used for access to/from or for the benefit of any property other than the lots in the subdivision.

27. There shall be no more than five (5) lots in any subdivision containing a private road.

28. A street sign showing the name of the private road and a no-outlet sign shall be erected and maintained at the point where the private road abuts the public road. In addition, house numbers shall be assigned for each lot in the subdivision by the appropriate county tax map office for each lot in the subdivision for mail address and emergency vehicle response purposes, and a sign containing such house numbers shall be clearly visible for each lot where it abuts the private road.

29. If a mail receptacle is needed, The United States Post Service approved receptacles for the deposit of mail for addresses of all the lots in the Subdivision shall be installed and maintained in accordance with the regulations of the United States Postal Service.